

**From:** Jon Givens  
**Sent:** Friday, August 18, 2006 12:36 PM  
**To:** 'Diane Vallentine'  
**Subject:** RE: Avis overlength

Diane

You asked that I send an email confirming our conversation on this issue. We are willing to stipulate that you can file an overlength opposition of around 80 pages which consists of a combined opposition on the express and implied contractual motions for summary judgement if you agree Alaska Rent A Car can file its replies on these 2 motions as either separate replies of at least 25 pages or as a single consolidated reply of at least 50 pages, and that if we decide we need to file an overlength reply on either or both motions, you will give serious consideration to any reasonable request. My understanding is we are in agreement on this.

You indicated you had already prepared a motion for overlength brief. You may either file it as an unopposed motion, or we will nonoppose it. Alternatively if you want to file a stipulation outlining our agreement that is fine as well.

-----Original Message-----

**From:** Diane Vallentine [mailto:dfvallentine@jdolaw.com]  
**Sent:** Friday, August 18, 2006 9:32 AM  
**To:** Jon Givens  
**Subject:** Avis

Jon:

We are combining our opposition briefs on the breach of contract and breach of covenant of good faith issues. Our brief is going to be approximately 80 pages. Will you stipulate to our filing an overlength brief or should I prepare a motion?

Diane

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